

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

MARITZA SOLA MORALES

DEBTOR

CASE NO 15-03511 BKT

CHAPTER 13

**DEBTORS' REQUEST FOR EXTENSION OF TIME TO CURE PLAN ARREARS AND  
REPLY TO TRUSTEE'S MOTION TO DISMISS DUE TO PLAN PAYMENTS DEFAULT  
AND NON DELIVERY OF TAX REFUNDS  
DOCKET ENTRY NO. 57**

TO THE HONORABLE COURT:

COMES NOW, MARITZA SOLA MORALES, debtor in the above captioned case, through the undersigned attorney, and very respectfully states and prays as follows:

1. The Chapter 13 Trustee filed a *Trustee's Motion to Dismiss*, dated November 09, 2016, docket no. 57, basically stating that the debtor is in arrears in the Plan payments in the sum of \$2,483.00 and that the debtor has failed to pay into the Plan the tax refunds for the years 2014 and 2015.

2. The debtor hereby respectfully replies to the Trustee's motion stating that the debtor admits to the Plan arrears since she has been sick, attending to a medical condition which has resulted in the debtor incurring in certain extraordinary expenses, thus, unable to cure the aforementioned Plan arrears with the Trustee.

3. However, the debtor is in the process of qualifying for a mortgage loan modification/loss mitigation, which will allow the debtor to file a post-confirmation Plan modification of debtor's confirmed Plan in order to delete the pre-petition mortgage loan arrears which the confirmed Plan provides to be paid through the Plan, and amend the payment schedule, curing the Plan arrears with said modification under 11 USC 1329.

4. Concerning the 2014 tax refund, the debtor respectfully states that on this same date the debtor is submitting to the Chapter 13 Trustee a copy of her 2014 tax return which reflects that there is **no tax refund for said 2014 year**.

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5. That concerning the 2015 tax return, the debtor proposes to submit the same to the Chapter 13 Trustee, within the next seven (7) days.

6. That the debtor needs additional time to cure the Plan arrears and/or file a post-confirmation Plan modification in order to cure the Plan arrears, submit the 2015 tax return to the Trustee, and adequately reply to the Trustee's motion for dismissal.

7. Based on the aforementioned, the debtor respectfully requests an extension of time of thirty (30) days within to cure the Plan arrears and/or file a post-confirmation Plan modification, in order to adequately reply to the Trustee's motion for dismissal, in the above captioned case. This extension of time to expire on January 12, 2017.

**WHEREFORE**, the debtor respectfully requests that this Honorable Court grant the requested extension of time, in the above captioned case.

**I HEREBY CERTIFY** that on this same date a copy of this notice was sent via electronically with the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also certify that I have mailed by United States Postal Service copy of this motion to the following non-participant: debtor, Maritza Sola Morales, Turabo Gardens I N 16 Calle 11 Caguas PR 00725, in the above captioned case.

**RESPECTFULLY SUBMITTED.** In San Juan, Puerto Rico, this 13<sup>th</sup> day of December, 2016.

/s/ Roberto Figueroa Carrasquillo

USDC #203614

**RFIGUEROA CARRASQUILLO LAW OFFICE PSC**

**PO BOX 186 CAGUAS PR 00726-0816**

**TEL 787-744-7699 FAX 787-746-5294**

**EMAIL: rfigueroa@rfclawpr.com**